

2:08cv4

Defendant.

JUDGMENT

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that plaintiff's Motion for Summary Judgment (#11) is **GRANTED**, the Commissioner's Motion for Summary Judgment (#15) is **DENIED**, and this matter is **REMANDED** to the Commissioner for purposes of conducting a new hearing pursuant to the fourth sentence of 42, United States Code, Section 405(g), in a manner not inconsistent with the Memorandum of Decision filed simultaneously herewith.

Signed: December 28, 2008

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

